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they "think the decision goes further than it really does."¹ Mr. Beven declares that such actions have been started. This knowledge on his part, and his belief that such actions will lead to the "payment of hundreds of pounds as blackmail," appear to have aroused him to the publication of this pamphlet.

We have spoken of it as interesting and instructive. No lawyer, we are sure, who begins its perusal will lay it aside unfinished. Its style is particularly clear and trenchant, while its criticism of the various judgments of the learned Law Lords is searching and fearless. Possibly his comments on Lord Atkinson's "involved and difficult" judgment are too severe, but it cannot be doubted that he expresses accurately the feeling of most persons who have read this judicial deliverance, when he says: "Readers of this and much more like it to be found in the report must feel a very similar admiration to that which Plato in the Euthydemus represents Socrates to express when he found himself the sport of those nimble and elusive word-fencers Euthydemus and Dionysodorus."

The pamphlet is instructive, by reason of its careful and thorough analysis of preceding English decisions, bearing upon the point involved, and its statement of the legal principles applicable to the facts of this case. Our author contents himself with a brief reference to American cases upon this topic, and refers his readers to "two admirable articles in the HARVARD LAW REVIEW,"² by Professor Jeremiah Smith, who arrives at conclusions similar to those presented here." Those articles, Mr. Beven can be assured, have exercised a wholesome influence over later decisions in this country.³ It is to be hoped that his pamphlet may produce a like effect in England.⁴

F. M. B.

THE EFFECT OF WAR ON CONTRACTS AND ON TRADING ASSOCIATIONS IN TERRITORIES OF BELLIGERENTS. By Coleman Phillipson. London: Stevens and Haynes. 1909. pp. 114.

This brief, well written essay, covering both common law and continental rulings, won the Quain Prize in the Department of Comparative Law at University College, London, 1908. Our only general criticism is that we feel it probable that the author might have found additional light, or at least a few more citations of especial interest to American readers, had he had access to a greater number of decisions of American courts. As a whole, however, the work is commendable, both from the book-writing and the book-publishing standpoints.

The author's idea that the nationality of a corporation depends on its place of charter; its domicile, on its principal place of business, seems eminently sound. But not so his statement that theoretically war will destroy the rights of a shareholder in an enemy corporation, since the right is technically a contractual one, and executory. Though it is technically contractual, — or is at least a *chose in action*, it does not seem executory in the sense that war would destroy it. The right to participate in the management of the company might cease during war, but it is believed that all other rights and obligations should, as in the case of an ordinary contract debt, continue in existence during the war and become enforceable at its end. At the worst, it seems to the reviewer that the shareholder should, if his rights in his shares are destroyed, recover at the end of the war an

¹ Notes, 25 Law Quarterly Rev. 229.

² Vol. XI, pp. 349, 434.

³ See *Savanah, F. & W. Ry. v. Beavers*, [1901] 113 Ga. 398, 39 S. E. 82, 54 L. R. A. 314, commending these articles and avowing the intention to limit the turn-table cases doctrine. A group of cases in 19 L. R. A., n. s., pp. 1095-1173, and the extensive note thereto, show a similar tendency on the part of other courts to limit or repudiate the "attraction nuisance" theory.

⁴ *Lowery v. Walker*, [1909] 2 K. B. 433, 78 L. J. K. B. 874, affords some justification for this hope.

amount equal to the value of the shares at the beginning of the war. Such a result was reached in the United States Supreme Court in the case of a life insurance policy. *New York Life Insurance Company v. Statham*, 93 U. S. 24; *New York Life Insurance Company v. Davis*, 95 U. S. 425. The author concludes that the correct theory, as he regards it, should be ignored, and the rights of the stockholder preserved. This whole subject presents many interesting questions, which, after all, we hope may never be determined.

A. R. G.

THE LAW OF THE UNIVERSITIES. By James Williams. London: Butterworth and Company. 1910. pp. xviii, 151.

This book attempts to collect between its two covers all the law relating to Oxford and Cambridge Universities under chapters on Prerogative and Legislation, Visitation, Government, Discipline, Education, Finance, Privilege, Courts, and Miscellaneous. The shortness of the space, five pages, devoted to Education is a fair indication of the point of view, which is legal rather than educational. Owing to the peculiar historical development of these two great English Universities, the book, with the exception of a short consideration of law of infancy, pages 108-113, is of only academic value to lawyers and university officers in America. For us perhaps the most interesting chapters are those on Government, Finance, Discipline, and Courts. The government of these ancient universities mainly depends, oddly enough, on three acts passed in 1854, 1856, and 1877, statutes relatively modern when compared with the charter of Harvard (1650), under which the governing boards here are still acting. While Oxford and Cambridge enjoy extended exemptions from taxes and rates (pp. 72-75), one is surprised to find this immunity by no means as far-reaching as in some of our states. Very little public money, too, is paid to Oxford and Cambridge. Most of it goes to younger universities. The power of officers of the university over disreputable non-members, over places of amusement, and over citizens, and their strange right of forbidding a railway company to carry certain unfortunate undergraduates, are striking. These, and the existence of the University courts, are to us perhaps the most curious portions of the subject. The courts of each university have jurisdiction over members. The Oxford court has some jurisdiction over non-members when a student is a party, and an appeal lies to the Supreme Court of Judicature. The jurisdiction of the Cambridge court is narrower. It is but slightly extended over outsiders, and no appeal lies to the High Court. It is difficult to state whether the research in so highly technical a field has been exhaustive. One can at least say that, except in the consideration of the American cases (pp. 137-139), it has every appearance of care and thoroughness.

J. W.

A BRIEF HISTORY OF THE MIDDLE TEMPLE. By C. E. A. Bedwell. London: Butterworth and Company. 1909. pp. vi, 132.

This little book is composed largely of matter which the author has already published in legal magazines concerning the Middle Temple, and does not purport to be a "systematic history" of the Inn. It is, in fact, a brief sketch of the origin of the Inns of Court with their division into the two temples and a short account of the Middle Temple during and after the Restoration and in the eighteenth century. Chapters are also given to its library and to some of its distinguished members. Of especial interest to Americans are those chapters relating to the early history of this country and the influence of those members of the Middle Temple who were connected with the early enterprises looking towards the establishment of the American Colonies.

J. S. S.